

LAPD Rec'd PCT/PTO 17 MAR 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: Not Yet Assigned      Confirmation No. Not Yet Assigned  
Applicant : Karl-Heinrich HERBER  
Filed : March 17, 2006  
TC/A.U. : Not Yet Assigned  
Examiner : Not Yet Assigned

Docket No. : 056310.57444US  
Customer No. : 23911

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§ 1.97 and 1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

I. Time Period of Submission

This Information Disclosure Statement is submitted:

☒ 1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

☐ 2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

☐ a Statement under 37 C.F.R. § 1.97(e); or

☐ a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

☐ 3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

III. Submission of Non-English Language Documents

☒ The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:

☒ The relevance of DE 101 56 529 A1 to the subject matter of the present invention is provided in the specification of the above-identified application. Further with respect to DE 101 56 529 A1, also provided is:

1) A copy of a German Search Report and an English translation thereof which cites references:

DE 196 29 017 A1  
DE 12 31 885 A  
DE 19 06 420 U  
DE 21 02 057 A  
DE 10 29 264 A

2) A copy of a PCT Search Report for the related PCT application which cites references:

US 4 333 193  
FR 2 564 301  
DE 28 30 605  
Patent Abstracts of Japan JP 01 265 901  
WO 99 47012  
DE 17 23 915

3) A copy of DE 30 43 725 which is mentioned in the background part of the DE 101 56 529 A1 application.

☒ A copy of a PCT Search Report for the corresponding PCT application, together with an English-language version(s) (if not already in English) of that portion of the report indicating the degree of relevance found by the foreign office is submitted.

☐ English language family member publication(s) of document(s) \_\_\_\_\_ is/are noted on Form PTO-1449.

☒ English language abstracts are submitted for the references as noted on the Form 1449.

☐ English translation(s) of the foreign language document(s) \_\_\_\_\_ is/are submitted herewith.

☐ Applicant submits the following explanations:  
\_\_\_\_\_.

#### IV. Continuations/Divisionals/PCT National Stage Applications

☐ Documents \_\_\_\_\_ were previously submitted in an Information Disclosure Statement filed on == in parent application Serial No. \_\_\_\_\_, from which this application claims a benefit.

☐ Copies of document(s) listed on the attached form PTO-1449 have already been provided by the International Searching Authority, therefore, duplicate copies are not attached hereto.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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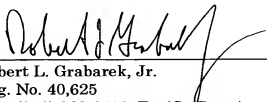
If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 056310.57444US, for the fee set forth in 37 C.F.R. § 1.17(p).

Respectfully submitted,

CROWELL & MORING LLP

Dated: March 17, 2006

By:

  
Robert L. Grabarek, Jr.

Reg. No. 40,625

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Attachments

Intellectual Property Group  
P.O. Box 14300  
Washington, D.C. 20044-4300

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO		<b>10157253791</b> <b>17 MAR 2006</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	Not Yet Assigned
		Filing Date	March 17, 2006
		First Named Inventor	Karl-Heinrich HERBER
		Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	056310.57444US
Sheet	1	of	1

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-4,333,193	06-08-1982	Bartneck	
	US-				
	US-				

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>4</sup>
		Country Code <sup>1</sup> -Number <sup>2</sup> -Kind Code <sup>3</sup> (if known)				
		DE 101 56 529	05-28-2003	Alsa GmbH		Abstract
		GB 708 502	05-05-1954	Superga Società Per Azioni		
		GB 1 482 277	08-10-1977	Ro-Search Inc.		
		DE 196 29 017 A1	01-22-1998	Burger Sabine		Abstract
		DE 12 31 885 A	01-05-1967	Spezialmaschinen Co. H. Ludwig K. G.		
		DE 19 06 420 U	12-10-1964	Desma-Werke GmbH		
		DE 21 02 057A	07-27-1972	Phoenix Gummiwerke AG		Abstract
		DE 10 29 264 A	04-30-1958	Alfons Saum		
		FR 2 564 301	11-22-1985	Kloeckner Ferromatik Desma		Abstract
		DE 28 30 605	01-31-1980	Desma-Werke GmbH		
		JP 01 265 901	10-24-1989	Asahi Corp.		Abstract
		WO 99 47012	09-23-1999	P & W Produktdesign & Werbung		Abstract
		DE 17 23 915	06-07-1956	Romika KG Lemm & Co.		
		DE 30 43 725	06-24-1982	Linnemann Friedrich		

OTHER DOCUMENTS	
PCT/ISA/210	
German Search Report (w/English Translation) for DE 101 56 529.1	
PCT Search Report for PCT application (PCT/DE02/04238) related to DE 101 56 529.1	

Examiner Signature	/Magali Theodore/	Date Considered	08/18/2008
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3) 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.T./